

105995

July 15, 2000

U.S. Department of Transportation  
Dockets 2000-7479 - 92  
400 Seventh Street, S.W., Room Plaza 401  
Washington, DC 20590

U.S. DEPARTMENT OF TRANSPORTATION  
00 AUG 22 PM 2:12

Dear Sir or Madam:

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Congress recently, through legislation, extended the 9 passenger seat limit to public charter companies, which would operate under a regular schedule. Section 723 of Public Law 106-181 amends 49 U.S.C. § 41104 as follows:

**(b) SCHEDULED OPERATIONS**

- (1) IN GENERAL** – An air carrier, including an indirect air carrier, which operates aircraft designed for more than 9 passenger seats, may not provide regularly scheduled charter air transportation for which the general public is provided in advance a schedule containing the departure location, departure time, and arrival location of the flights to or from an airport that is not located in Alaska and that does not have an operating certificate issued under Part 139 of Title 14, Code of Federal Regulations (or any subsequent similar regulations).
- (2) DEFINITION** – In this paragraph, the term “regularly scheduled charter air transportation” does not include operations for which the departure time, departure location and arrival location are specifically negotiated with the customer or the customer’s representative.

Section 723 was adopted to close a loophole for small commuter carriers claiming charter status to avoid the earlier limits on scheduled passenger service at uncertificated airports.

The draft rules published by the Federal Aviation Administration (“FAA”) to implement these changes simply do not do the job. The draft rules completely exclude “small” scheduled air charter operations from the requirement that they operate only at certificated airports. The term “small” aircraft includes most commuter aircraft between 10-30 passengers.

The federal law applies to all charter operations, both large and small. The revised rules must be changed to acknowledge that all public charter operations using aircraft with more than 9 passenger seats that operate under a schedule cannot operate at an uncertificated airport. The FAA should not ignore Congress’ direction, and should not compromise public safety. We ask that the rules be changed to conform to the law. Please include these comments as part of the Notice of Proposed Rulemaking for the above docket.

Thank you for the opportunity to make these comments.

Respectfully yours,

*Philip S. Whitaker - Eloise B. Whitaker*  
9629 E. Powers Pl. Englewood, Co. 80111

July 15, 2000

U.S. DEPARTMENT OF TRANSPORTATION  
7210 S. Tamarac Ct.  
Englewood, CO 80112  
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*Maria J. La Fond*

July 15, 2000

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*Judy Harvath*  
9891 E Penwood Ave  
Englewood CO 80111

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303-850-7730

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DANIEL SHULTZ  
4693A S. CRYSTAL WAY  
AURORA, CO 80015

July 15, 2000

NOTICE OF PROPOSED RULEMAKING

00 AUG 22 PM 2:12

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400 Seventh Street, S.W., Room Plaza 401  
Washington, DC 20590

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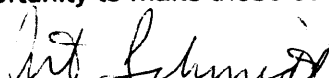
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Arthur M. Schmidt  
7143 S. Valencia Way  
Englewood, CO 80110

July 15, 2000

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*Mr. and Mrs. Robert W. Blaha*

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Name: James C. Jean Chang Date: 08/17/2000

Address: 601 S. Billings Way  
Englewood, CO 80111



July 15, 2000

U.S. Department of Transportation  
Dockets 2000-7479  
400 Seventh Street, S.W., Room Plaza 401  
Washington, DC 20590

U.S. DEPARTMENT OF TRANSPORTATION  
AUG 22 PM 2:13

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Name: Walter Chang Date: 08/16/2000  
Address: 6651 S. Billings Way, Englewood, CO  
80111

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Name: Mary Cline Date: 08, 17, 00  
Address: 6651 S Billings Way  
Englewood, CO 80111-6607

July 15, 2000

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*Mr & Mrs Carl Weinberger*  
6106 S. Stanton St  
Boulder CO 80111

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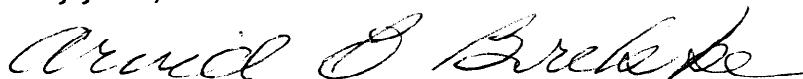
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August 18, 2000

NOT RECORDED

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x *Victoria Y. Alvarez*  
6924 S. Warfield Way  
Littleton, CO 80122

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Congress recently, through legislation, extended the 9 passenger seat limit to public charter companies, which would operate under a regular schedule. Section 723 of Public Law 106-181 amends 49 U.S.C. § 41104 as follows:

**(b) SCHEDULED OPERATIONS**

**(1) IN GENERAL** – An air carrier, including an indirect air carrier, which operates aircraft designed for more than 9 passenger seats, may not provide regularly scheduled charter air transportation for which the general public is provided in advance a schedule containing the departure location, departure time, and arrival location of the flights to or from an airport that is not located in Alaska and that does not have an operating certificate issued under Part 139 of Title 14, Code of Federal Regulations (or any subsequent similar regulations).

**(2) DEFINITION** – In this paragraph, the term “regularly scheduled charter air transportation” does not include operations for which the departure time, departure location and arrival location are specifically negotiated with the customer or the customer’s representative.

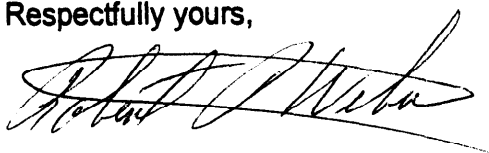
Section 723 was adopted to close a loophole for small commuter carriers claiming charter status to avoid the earlier limits on scheduled passenger service at uncertificated airports.

The draft rules published by the Federal Aviation Administration (“FAA”) to implement these changes simply do not do the job. The draft rules completely exclude “small” scheduled air charter operations from the requirement that they operate only at certificated airports. The term “small” aircraft includes most commuter aircraft between 10-30 passengers.

The federal law applies to all charter operations, both large and small. The revised rules must be changed to acknowledge that all public charter operations using aircraft with more than 9 passenger seats that operate under a schedule cannot operate at an uncertificated airport. The FAA should not ignore Congress’ direction, and should not compromise public safety. We ask that the rules be changed to conform to the law. Please include these comments as part of the Notice of Proposed Rulemaking for the above docket.

Thank you for the opportunity to make these comments.

Respectfully yours,



Mr. Robert P. Weber  
9820 E Grand Ave.  
Englewood, CO 80111-3620

July 15, 2000

DEPT. OF TRANSPORTATION

00 AUG 22 PM 2:13

U.S. Department of Transportation  
Dockets 2000-7479  
400 Seventh Street, S.W., Room Plaza 401  
Washington, DC 20590

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Richard - Virginia Vawter  
19876 E. Euclid DR  
Aurora, CO 80016

July 15, 2000

U.S. Department of Transportation  
Dockets 2000-7479  
400 Seventh Street, S.W., Room Plaza 401  
Washington, DC 20590

U.S. DEPARTMENT OF TRANSPORTATION  
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*Dore C. Chomicki*

*Joseph D. Chomicki*



July 15, 2000

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400 Seventh Street, S.W., Room Plaza 401  
Washington, DC 20590

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400 Seventh Street, S.W., Room Plaza 401  
Washington, DC 20590

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*Christine Wasson*

July 15, 2000

U.S. Department of Transportation  
Dockets 2000-7479  
400 Seventh Street, S.W., Room Plaza 401  
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*Dale Bie Leuberg*

July 15, 2000

DEPT. OF

00 AUG

U.S. Department of Transportation  
Dockets 2000-7479  
400 Seventh Street, S.W., Room Plaza 401  
Washington, DC 20590

*Muhler Stern*  
*6211 S. Highland Ct*  
*Englewood Colo*  
*80111*

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